

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>LEONARD M. BANKSTON, SR.,</b>	)	<b>CASE NO. 1:23-CV-692</b>
	)	
<b>Petitioner,</b>	)	<b>JUDGE CHRISTOPHER A. BOYKO</b>
	)	
<b>vs.</b>	)	
	)	
<b>DAVID W. GRAY, WARDEN,</b>	)	<b>OPINION AND ORDER</b>
	)	
<b>Respondent.</b>	)	

**CHRISTOPHER A. BOYKO, J.:**

This matter is before the Court on the Magistrate Judge’s Report and Recommendation to deny pro se Petitioner’s Writ of Habeas Corpus under 28 U.S. C. § 2254 as non-cognizable and without merit. (ECF #9.) Objections to the Report and Recommendation were due by July 17, 2024. Petitioner has not filed an objection to the Report and Recommendation.

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service. FED. R. CIV. P. 72(b)(2). Petitioner has failed to timely file any such objection. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge’s recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court’s limited resources. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge and **DENIES** Petitioner’s Petition as non-cognizable and without merit.

The Court finds an appeal from this decision could not be taken in good faith. 28 U.S.C. § 1915(a)(3). Because Petitioner has not made a substantial showing of a denial of a constitutional right directly related to his conviction or custody, the Court declines to issue a certificate of appealability. 28 U.S.C. § 2253(c)(2); FED. R. APP. P. 22(b); Rule 11 of Rules Governing § 2254 Cases.

**IT IS SO ORDERED.**

**/s Christopher A. Boyko**  
**CHRISTOPHER A. BOYKO**  
**United States District Judge**

**Dated: July 24, 2024**